

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTOINETTE WALB LINT,	:	
Plaintiff	:	
	:	No. 02-CV-4641
v.	:	
	:	
CHB SPORTS, INC. and ALBERT	:	CIVIL ACTION
H. BLOUGH,	:	
Defendants	:	JURY TRIAL DEMANDED

DEFENDANTS' MOTION TO ENLARGE TIME
FOR COMPLETING DISCOVERY AND
FILING DISPOSITIVE MOTIONS

AND NOW, come Defendants, by and through their attorneys, Lavery, Faherty, Young & Patterson, P.C., and with the concurrence of Plaintiff's counsel, and file this Motion to Enlarge Time for Discovery and the Filing of Dispositive Motions and in support thereof, aver as follows:

1. Plaintiff, Antoinette Lint, initiated this civil action by filing a Complaint on July 12, 2002, asserting sexual harassment claims pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000(e), et seq.

2. On September 17, 2002, Defendants filed an Answer to Plaintiff's Complaint denying any and all liability and asserting various affirmative defenses.

3. On October 2, 2002, this Honorable Court conducted a Rule 16 conference and at that time certain oral agreements were entered into by counsel and certain oral orders issued by the Court.

4. On October 4, 2002, this Honorable Court issued a Scheduling Order which provided in pertinent part as follows:

- 1) Factual discovery in this matter shall be completed by February 4, 2003.
- 2) Dispositive motions shall be filed by March 3, 2003.
- 3) Responses to Dispositive Motions shall be filed by April 1, 2003.

5. Due to Defendants' counsel's trial schedule for November and December, 2002, and Plaintiff's counsel's schedule, it was not possible to schedule depositions in this matter until January 30, 2003.

6. The January 30, 2003, depositions will be of the Plaintiff and Defendant only. It is believed that at the close of those depositions, the parties may wish to conduct additional discovery in this matter, including depositions of additional witnesses, which could not be conducted prior to the close of discovery, February 4, 2003.

7. Pursuant to local Rule 56.1, all Motions for Summary Judgment must be accompanied by a concise statement of undisputed material fact with specific references to the portions of the record supporting each contention. It is quite doubtful that any transcripts will be available in sufficient time to facilitate the preparation of the concise statement of undisputed material facts and/or appendix of exhibits in support thereof, on or before the March 3, 2003, deadline for filing dispositive motions.

8. An enlargement of time of 60 days for discovery, filing dispositive motions and responses to dispositive motions outlined in the Scheduling Order is requested.

9. This Motion is not submitted for the purpose of needless delay nor for purposes of prejudicing the claim of Plaintiff or inconveniencing the Court.

10. Defendants have not sought any prior enlargements of time in this case.

11. Paul Yatron, Esquire, counsel for Plaintiff, concurs in this Motion to Enlarge Time for Discovery and the Filing of Dispositive Motions and Responses to Dispositive Motions.

12. Neither party will be prejudiced by the granting of this Motion.

WHEREFORE, Defendants respectfully request that this Honorable Court grant their Motion to Enlarge Time for Discovery and the Filing of Dispositive Motions and Responses thereto by 60 days and enter the accompanying Court Order.

Respectfully submitted,

LAVERY, FAHERTY, YOUNG &
PATTERSON, P.C.

Date: 12/31/02

By: Frank J. Lavery, Jr.
Frank J. Lavery, Jr., Esquire
Attorney I.D. #42370
225 Market St./Suite 304
P. O. Box 1245
Harrisburg, PA 17108-1245
(717) 233-6633
Attorney for Defendants

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CERTIFICATE OF CONCURRENCE

I, Frank J. Lavery, Jr., Esquire, do hereby certify that I have obtained the concurrence of Paul Yatron, Esquire, Plaintiff's counsel, in the attached Motion for Enlargement of Time.

Respectfully submitted,

Lavery, Faherty, Young & Patterson, P.C.

By: Frank J. Lavery, Jr.

Frank J. Lavery, Jr., Esquire
Atty No. 42370
225 Market Street, Suite 304
P.O. Box 1245
Harrisburg, PA 17108-1245
Attys for Defendants

DATE: 12/31/02

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O R D E R

AND NOW, this _____ day of _____, 200__, upon consideration of Defendants' Motion to Enlarge Time and Plaintiff's concurrence therein, it is hereby ORDERED, ADJUDGED and DECREED that said Motion is GRANTED and discovery deadlines, including the filing of dispositive motions and responses thereto are extended by 60 days.

BY THE COURT:

United States District Judge

CERTIFICATE OF SERVICE

I, Frank J. Lavery, Jr., of the law firm of Lavery, Faherty, Young & Patterson, P.C., do hereby certify that on this 31st day of December, 2002, I served a true and correct copy of the foregoing Motion for Enlargement of Time via U.S. First Class mail, postage prepaid, addressed as follows:

Paul M. Yatron, Esquire
Mogel, Speidel, Bobb & Kershner
520 Walnut Street
PO Box 8581
Reading, PA 19603-8581

Eugene C. LaManna, Esquire
Corbit Building
147 North Fifth Street
PO Box 8431
Reading, PA 19603-8431

This document has also been electronically filed and is available for viewing and downloading from the ECF system.

Frank J. Lavery, Jr.